

COMMENTS

The enclosed is responsive to the Examiner's Final Office Action mailed on February 4, 2004 and is followed by a Request for Continued Examination under 37 CFR §1.114. At the time the Examiner mailed the Final Office Action claims 13-60 were pending. The Applicants thank the Examiner for the allowance of claims 45-60. By way of the present response, the Applicant has amended claim 37 but has not cancelled any claims. As such, claims 13-60 are pending but only claims 13-44 are in dispute. The Applicants respectfully request reconsideration of the present application and the allowance of all claims.

Claim Rejections

The Examiner rejected claims 13-44 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent 6,005,823 (hereinafter "Martin"). In view of U.S. Patent 6,347,360 (hereinafter "Keeth").

In regard to independent claims 13, 23 and 37, the Examiner has attempted to invalidate claim elements (pg.3, paragraph 1 of office action dated 02/04/2004) directed to a host side of a memory controller that can output command packets in chunks ("a host side region having a memory access request input and a memory command packet chunk output") with material from Martin. Specifically, Col. 5, line 65 to Col. 6, line 12 of Martin (which the Examiner has used to cover the claim element at issue) refers to "a command packet, CDN, from the command bus..."

Applicants point out that there is clearly a difference between a "memory command packet chunk" and a "command packet". Applicants' invention (as claimed in claims 13, 23 and 37) refers to a memory command packet chunk whereas the above reference in Martin refers to a command packet. A memory command packet chunk is defined within the claims of the invention as "a memory command packet chunk being a portion of a memory command packet..." This shows a significant difference between Applicants' invention and the cited reference to Martin, because Martin only refers to a command packet in general. Whereas Applicants have made it clear that a command packet chunk is only a portion of a complete command packet. Martin has not alluded to any differences between a complete or partial command packet.

In further support, Martin states (Col. 4, line 49 to Col.4, line 59) "Therefore, there is a need for address handling circuitry that is able to receive and process command packets, including addresses, at a high rate of speed... In one embodiment, the memory device is a packetized memory device that receives a command packet including command and address information. " This further shows that Martin does not address the outputting and receiving of command packet chunks, but only the use of command packets as a whole. Therefore it would be impossible for Martin to **anticipate** this claim element. See, MPEP 2131.

Examiner has further attempted to invalidate claim elements (pg.3, paragraph 2 of office action dated 02/04/2004) directed to a memory side of a memory controller that can receive command packets in chunks ("a memory side region having a memory command packet chunk input") with material from Martin that fails to

disclose a chunk of a packet. Specifically, the teachings of Col. 1, line 51 to Col. 2, line 5 of Martin (which the Examiner has used to cover the claim element at issue), only teaches that DRAM memory devices are “too slow” as compared to the speed of processor devices; and, that a memory controller helps to allow a faster processor to communicate with a slower DRAM memory. Nothing in Martin refers to the receiving of a memory command packet chunk. As stated above, a command packet chunk is only a portion of a complete command packet. Therefore it would again be impossible for Martin to **anticipate** this claim element.

Examiner has also cited to Keeth as a means of invalidating independent claims 13, 23 and 37. However, Examiner has not cited to any specific portion of Keeth in support of Examiner’s argument. Examiner has simply stated that Keeth “teaches the same basic system as Martin and includes the use of a memory controller. “ If this is true, than Keeth also fails to disclose the outputting and receiving of command packets chunks as well, making it an invalid reference. Applicants respectfully request that Examiner give specific examples within Keeth as to where it may be combined with Martin to create a valid 35 U.S.C. §103 rejection.

In the comments above, the Applicant's have demonstrated insufficiencies in the rejections to the Applicant’s independent claims; and, therefore respectfully submits that all dependent claims are allowable as a consequence. Therefore, the Applicants respectfully request the allowance of all claims at issue (i.e., claims 13-44).

Comments

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____

5/4/04



Robert B. O'Rourke
Reg. No. 46,972

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1030
(408) 720-8300